(1)

(3)

Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 4026 2004

PETITIONER

Chintu Ram Rajak S/o Late Shri Jugul Ram Rajak, aged about 48 years, Assistant Grade III Hasdeo Barrage, W/M Division Korba, Irrigation Colony Rampur Korba, Dist. Korba (C.G.)

P.R. No. 4021/04 Presented by Shri S.B. Sah dated 20.10.04

VERSUS

RESPONDENTS

1. The State of Chhattisgarh through, Secretary Irrigation Department D.K.S. Bhawan, Raipur (C.G.)
2. The Executive Engineer Hasdeo Barrage, Rampur Korba Dist. Korba (C.G.)

Certified Copy 30.10.04 Clerk to A.G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF THE COUNSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC. OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER.

(38)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4026/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

25-11-2004

Shri R.S. Patel, counsel for the petitioner.

Shri V.V.S. Murthy, Dy. Advocate General with Shri Vinod Shrivastava, Govt. Advocate for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Hasdeo Barrage, W/M Division, Korba to Jal Sansadhan Sanbhag, Dantewada, vide Annexure – P/1. He also submits that the petitioner is working as a Class-III employee. He also submits that the petitioner has been transferred within two years. He also submits that the petitioner has been transferred on the basis of false complaint made by Navyuvak Mandal Sichai Colony, Rampur, Korba. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P.No.4423/04 & I.A.No.8218/04 also stand disposed of.

Sd/-
Fakhruddin
Judge

Gowri

GLPRJ—FS/78 — 9/2000 —50,000.